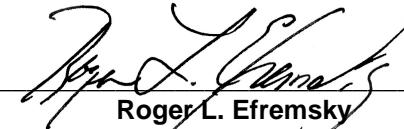




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4 San Francisco, CA 94121  
5 Telephone: (415) 504-2706  
Facsimile: (415) 449-6110  
Email: ivan@icjenlaw.com  
6 Attorney for the Debtor

The following constitutes  
the order of the court. Signed January 20, 2011

  
Roger L. Efremsky  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

In re: ) Case No. 10-71567 RLE 13  
Floyd Hughes Broach Sr., )  
Debtor. ) Chapter 13  
 )  
 ) Judge: Honorable Roger L. Efremsky  
 ) Date: [No Hearing Set Unless Requested]  
 ) Time:  
 ) Location: 1300 Clay Street, Room 201,  
Oakland, CA  
)

ORDER GRANTING DEBTOR'S MOTION TO VALUE LIEN OF  
HOECOMINGS FINANCIAL, LLC AND ITS ASSIGNEES AS WHOLLY UNSECURED

Floyd Hughes Broach Sr., the debtor in the above Chapter 13 case (the "Debtor"), filed the MOTION TO VALUE LIEN OF HOECOMINGS FINANCIAL, LLC AND ITS ASSIGNEES AS WHOLLY UNSECURED (the "Motion") and requested the lien originally filed by Homecomings Financial, LLC ("Homecomings"), recording number DOC-2007-0186730-00 filed in Contra Costa County (the "Lien"), that was recorded on the Debtor's residence at 5518 Panama Avenue, Richmond CA 94804, also known as parcel number 510-152-007-9, be declared as wholly unsecured and voided for purposes of this Chapter 13 case.

The Court, finding that service of the Motion and notice of opportunity for hearing pursuant to Bankruptcy Local Rule ("B.L.R.") 9014-1(b)(3) is proper, finding that service was

1 properly made on Homecomings and the known assignees of the Lien, finding that a timely  
2 objection or request for hearing was not made by Homecomings and its assignees, finding that  
3 the Debtor's request for relief by default pursuant to B.L.R. 9014-1(b)(4) is proper, and good  
4 cause appearing therefor,

5 **IT IS HEREBY ORDERED:**

- 6 1. The Motion is GRANTED;
- 7 2. That for purposes of the Debtor's Chapter 13 Plan, the Lien on the Debtor's  
residence is valued at zero, that Homecomings or its assignees does not have a  
secured claim, and that the Lien may not be enforced pursuant to 11 U.S.C. §§  
506, 1322(b)(2), and 1327;
- 8 3. That this Order is incorporated as part of any confirmed Chapter 13 plan;
- 9 4. That upon entry of a discharge or completion of plan payments in the Debtor's  
Chapter 13 case, the Lien is voided for all purposes, and upon application by the  
Debtor, an appropriate form of judgment voiding the Lien will be entered;
- 10 5. That if the Debtor's Chapter 13 case is dismissed or converted to one under  
another chapter before the Debtor obtains a discharge or completes plan  
payments, this Order shall cease to be effective and the Lien shall be retained to  
the extent recognized by applicable nonbankruptcy law, and upon application by  
the lienholder, the Court will enter an appropriate form of order restoring the  
Lien;
- 11 6. That except as provided by separate, subsequent order of this Court, the Lien may  
not be enforced so long as this order remains in effect; and
- 12 7. That the Debtor may record this Order with the Contra Costa County Clerk  
Recorder to further carry out this Order.

13 \*\* END OF ORDER \*\*

1                   **Court Service List**

2       American Servicing and Recovery Group, LLC  
3       c/o Incorp Services, Inc., Agent for Service of Process  
4       375 N. Stephanie St. Ste. 1411  
5       Henderson, NV 89014

6       Floyd Hughes Broach Sr.  
7       5518 Panama Avenue  
8       Richmond, CA 94804

9       GMAC Mortgage, LLC  
10      c/o CSC – Lawyers Incorporating Service, Agent for Service of Process  
11      2711 Centerville Road  
12      Wilmington, DE 19808

13     Homecomings Financial, LLC  
14     c/o CSC – Lawyers Incorporating Service, Agent for Service of Process  
15     2711 Centerville Road  
16     Wilmington, DE 19808

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